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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re-application of: Gormley, et al.

Serial No.: 10/010,678

Filed: December 7, 2001

Group Art Unit: 1618

Examiner: Kim, Vickey Y

For: TRANSDERMAL TREATMENT WITH 5-ALPHA REDUCTASE INHIBITORS

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant(s) hereby appeal(s) to the Board of Appeals from the decision dated May 6, 2005 of the Examiner rejecting claims 28-37.

The item checked below is appropriate:

- Fee not required (Fee paid in prior appeal).
 Charge the \$500 fee to Deposit Account No. 13-2755.

(Duplicate copy of this Notice is enclosed herewith)

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account **13-2755**. Duplicate copies of this sheet are enclosed.

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By Denise Brown Date 8-5-2005

Respectfully submitted,



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DATE: August 5, 2005

IN DUPLICATE